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**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

ALAN KONIG,

Plaintiff - Appellant,

v.

THE STATE BAR OF CALIFORNIA;
LAWRENCE J. DAL CERRO; RUSSELL
WEINER; ALLEN BLUMENTHAL; and
ROBERT HAWLEY,

Defendants - Appellees.

No. 05-17342

D.C. No. CV 04-2210 MJJ

MEMORANDUM^{*}

Appeal from the United States District Court
for the Northern District of California
Martin J. Jenkins, District Judge, Presiding

Submitted October 18, 2007^{**}
San Francisco, California

Before: ROTH,^{***} THOMAS, and CALLAHAN, Circuit Judges

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. 34(a)(2).

^{***} The Honorable Jane R. Roth, Senior United States Circuit Judge for the Third Circuit, sitting by designation.

Alan Konig brought an action in U.S. District Court against the State Bar of California and four of its employees in their individual and official capacities, claiming violation of his civil rights under 42 U.S.C. § 1983 and asserting state law causes of action for retaliation under California Labor Code §§ 1102.5, *et seq.*, California Government Code §§ 9149.20, *et seq.*, and under the common law doctrine established pursuant to the California Supreme Court's decision in Tameny v. Atlantic Richfield Co., 27 Cal. 3d 167 (1980). The district court dismissed all causes of action against the State Bar and the defendants in their official capacities based on Eleventh Amendment immunity and entered summary judgment for all defendants on the remaining claims. Konig appealed.

The district court had jurisdiction of this case under 28 U.S.C. §§ 1331 and 1367. We have jurisdiction under 28 U.S.C. § 1291. We have carefully considered the three very thorough memorandum opinions of the district court, the appellate briefs of the parties, and the voluminous appendices before this Court. On the basis of our review, we find that the district court properly granted judgment in favor of the defendants.

AFFIRMED